

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA**

RONALD MILES WINTERS,

Plaintiff,

v.

ZANE NIGHSWONGER, JASON
MATA, and MARK TACACA,

Defendants.

Case No. 3:19-cv-00146-SLG-KFR

ORDER RE FINAL REPORT AND RECOMMENDATION

Before the Court at Docket 18 is Defendants Zane Nighswonger, Jason Mata, and March Tacaca's *Motion for Summary Judgment*. Plaintiff Winters did not file a response to the motion. The motion was referred to the Honorable Magistrate Judge Kyle F. Reardon. At Docket 26, Judge Reardon issued his Report and Recommendation, in which he recommended that the motion be granted. No objections to the Report and Recommendation were filed.

The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1). That statute provides that a district court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge."¹ A court is to "make a de novo determination of those portions of the magistrate judge's report

¹ 28 U.S.C. § 636(b)(1).

or specified proposed findings or recommendations to which objection is made.”²
But as to those topics on which no objections are filed, “[n]either the Constitution nor [28U.S.C. § 636(b)(1)] requires a district judge to review, de novo, findings and recommendations that the parties themselves accept as correct.”³

The magistrate judge recommended that the Court grant the *Motion for Summary Judgment*. The Court has reviewed the Report and Recommendation and agrees with its analysis. Accordingly, the Court adopts the Report and Recommendation in its entirety, and IT IS ORDERED that the *Motion for Summary Judgment* at Docket 18 is GRANTED and all claims against Defendants are DISMISSED with prejudice. The Clerk of Court shall enter a final judgment accordingly.

DATED this 25th day of January, 2022, at Anchorage, Alaska.

/s/ Sharon L. Gleason
UNITED STATES DISTRICT JUDGE

² *Id.*

³ *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003); see also *Thomas v. Arn*, 474 U.S. 140, 150 (1985) (“It does not appear that Congress intended to require district court review of a magistrate’s factual or legal conclusions, under a *de novo* or any other standard, when neither party objects to those findings.”).